

**2013 DRAFTING REQUEST****Bill**

Received: **2/5/2013** Received By: **gmalaise**  
 Wanted: **As time permits** Same as LRB:  
 For: **Dave Hansen (608) 266-5670** By/Representing: **John Wagnitz**  
 May Contact: Drafter: **gmalaise**  
 Subject: **Employ Priv - miscellaneous** Addl. Drafters:  
**Employ Pub - civil service** Extra Copies:

Submit via email: **YES**  
 Requester's email: **Sen.Hansen@legis.wisconsin.gov**  
 Carbon copy (CC) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

Paid leave of absence for veterans on Veterans Day

**Instructions:**

See attached--redraft 2009 SB 11

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 2/5/2013	evinz 2/26/2013	jmurphy 2/26/2013	_____			
/1				_____	srose 2/26/2013	mbarman 2/27/2013	State S&L

FE Sent For:

<END>

At  
intro.

# **2013 DRAFTING REQUEST**

## **Bill**

Received:	<b>2/5/2013</b>	Received By:	<b>gmalaise</b>
Wanted:	<b>As time permits</b>	Same as LRB:	
For:	<b>Dave Hansen (608) 266-5670</b>	By/Representing:	<b>John Wagnitz</b>
May Contact:		Drafter:	<b>gmalaise</b>
Subject:	<b>Employ Priv - miscellaneous Employ Pub - civil service</b>	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**  
 Requester's email: **Sen.Hansen@legis.wisconsin.gov**  
 Carbon copy (CC) to:

## **Pre Topic:**

No specific pre topic given

## **Topic:**

Paid leave of absence for veterans on Veterans Day

## **Instructions:**

See attached--redraft 2009 SB 11

## **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 2/5/2013	evinz 2/26/2013	jmurphy 2/26/2013	_____			
/1				_____	srose 2/26/2013		State S&L

FE Sent For:

**<END>**

**2013 DRAFTING REQUEST****Bill**

Received: **2/5/2013** Received By: **gmalaise**  
Wanted: **As time permits** Same as LRB:  
For: **Dave Hansen (608) 266-5670** By/Representing: **John Wagnitz**  
May Contact: Drafter: **gmalaise**  
Subject: **Employ Priv - miscellaneous** Addl. Drafters:  
**Employ Pub - civil service** Extra Copies:

Submit via email: **YES**  
Requester's email: **Sen.Hansen@legis.wisconsin.gov**  
Carbon copy (CC) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Paid leave of absence for veterans on Veterans Day

---

**Instructions:**

See attached--redraft 2009 SB 11

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise	1 rev 2/26/13	gm				
			2/26 gm				
			2/26				

FE Sent For:

<END>

## Malaise, Gordon

---

**From:** Wagnitz, John  
**Sent:** Tuesday, February 05, 2013 9:18 AM  
**To:** Malaise, Gordon  
**Subject:** Veterans Day off for Veterans

Hi Gordon,

Could you please re-draft a version of 2009 SB 11 relating to: a requirement that all employers in this state grant a paid leave of absence on Veterans Day to employees who are veterans.

Thanks,

John Wagnitz  
Office of State Senator Dave Hansen  
409 South, State Capitol  
phone: (608) 266-5670

January 21, 2009 - Introduced by Senators Hansen and Erpenbach, cosponsored by Representatives Turner, Sinicki, Berceau, Grigsby, Hilgenberg and Young. Referred to Committee on Labor, Elections and Urban Affairs.

Pg1Ln1 An Act to amend 111.322 (2m) (a) and 111.322 (2m) (b); and to create 103.06  
Pg1Ln2 and 106.54 (8) of the statutes; relating to: a requirement that all employers  
Pg1Ln3 in this state grant a paid leave of absence on Veterans Day to employees who  
Pg1Ln4 are veterans.

---

### Analysis by the Legislative Reference Bureau SB11

Under current law, November 11 (Veterans Day) is a legal holiday. This bill requires that every public and private employer in this state grant to each employee who is a veteran a paid leave of absence for the entire workday on Veterans Day, or on the following Monday if Veterans Day falls on a Saturday or Sunday and the employee is not scheduled to work on that day. Under the bill, for employees who are included in a collective bargaining unit, the paid leave of absence is granted only if so provided in a collective bargaining agreement.

#### SB11

The bill prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence on Veterans Day; opposing a discharge or discrimination in violation of the bill; filing a complaint or attempting to enforce a right under the bill; or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is discharged or discriminated against in violation of the bill may file a complaint with the Department of Workforce Development (DWD), and DWD must process the complaint in the same manner that employment discrimination complaints are processed under current law. That processing may include the ordering of back pay, reinstatement, compensation in lieu of reinstatement, and costs and attorney fees.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.



State of Wisconsin  
2009 - 2010 LEGISLATURE

IN 215

1514 / 1  
LRB-1024/1

GMM:jld:ph

cev

13  
**2009 SENATE BILL 11**

PWF

SAW/1  
xref ✓  
January 21, 2009 - Introduced by Senators ~~HANSEN and ERPENBACH~~, cosponsored by Representatives TURNER, SINICKI, BERCEAU, GRIGSBY, HILGENBERG and YOUNG. Referred to Committee on Labor, Elections and Urban Affairs.

1 **AN ACT** <sup>regen</sup> **to amend** 111.322 (2m) (a) and 111.322 (2m) (b); and **to create** 103.06  
2 and 106.54 (8) of the statutes; **relating to:** a requirement that all employers  
3 in this state grant a paid leave of absence on Veterans Day to employees who  
4 are veterans. <sup>agreement</sup> <sup>to</sup>

**Analysis by the Legislative Reference Bureau**

<sup>Covered under</sup>  
<sup>the</sup>  
Under current law, November 11 (Veterans Day) is a legal holiday. This bill requires ~~that~~ every public and private employer in this state grant to each employee who is a veteran a paid leave of absence for the entire workday on Veterans Day, or on the following Monday if Veterans Day falls on a Saturday or Sunday and the employee is not scheduled to work on that day. Under the bill, for employees who are ~~included in~~ a collective bargaining unit, the paid leave of absence is granted only if so provided in a collective bargaining agreement.

The bill prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence on Veterans Day; opposing a discharge or discrimination in violation of the bill; filing a complaint or attempting to enforce a right under the bill; or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is discharged or discriminated against in violation of the bill may file a complaint with the Department of Workforce Development (DWD), and DWD must process the complaint in the same manner that employment discrimination complaints are processed under current law. That

**SENATE BILL 11**

processing may include the ordering of back pay, reinstatement, compensation in lieu of reinstatement, and costs and attorney fees.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** <sup>103.09</sup> ~~103.06~~ of the statutes is created to read:

<sup>103.09</sup> ~~103.06~~ **Paid leave of absence on Veterans Day.** (1) In this section:

(a) "Employee" means an individual employed in this state by an employer.

(b) "Employer" means a person engaging in any activity, enterprise, or business in this state. "Employer" includes the state and any office, department, independent agency, authority, institution, association, society, or other body in state government created or authorized to be created by the constitution or any law, including the legislature and the courts.

(c) "Veteran" has the meaning given in s. 45.01 (12) <sup>(12)(a) to (f)</sup>.

(2) (a) Subject to par. (b), an employer shall grant to each employee who is a veteran a paid leave of absence on November 11 or, if November 11 falls on a Saturday or Sunday and the employee is not scheduled to work on November 11, on the following Monday. The leave of absence shall be for the entire workday. If an employee intends to take a leave of absence under this paragraph, the employee shall, in a reasonable and practicable manner, give the employer advance notice of the leave of absence.

(b) For employees whose wages, hours, and conditions of employment are determined <sup>under</sup> in a collective bargaining agreement, par. (a) applies only if the paid leave of absence described in par. (a) is provided <sup>under the</sup> in an applicable collective bargaining agreement.

## SENATE BILL 11

(3) An employer may not discharge or discriminate against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence as provided in sub. (2), opposing a practice prohibited under this section, filing a complaint or attempting to enforce any right under this section, or testifying or assisting in any action or proceeding to enforce any right under this section.

(4) An employee who is discharged or discriminated against in violation of sub. (3) may file a complaint with the department, and the department shall process the complaint in the same manner that employment discrimination complaints are processed under s. 111.39. If the department finds that an employer has violated sub. (3), it may order the employer to take such action under s. 111.39 as will effectuate the purpose of this section. Section 111.322 (2m) applies to a discharge or other discriminatory act arising in connection with any proceeding under this subsection.

SECTION 2. 106.54 (8) of the statutes is created to read:

106.54 (8) The division shall receive complaints under s. 103.08 (4) and shall process the complaints in the same manner that employment discrimination complaints are processed under s. 111.39.

SECTION 3. 111.322 (2m) (a) of the statutes is amended to read:

111.322 (2m) (a) The individual files a complaint or attempts to enforce any right under s. 103.02, 103.06, 103.10, 103.13, 103.28, 103.32, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075 or 146.997 or ss. 101.58 to 101.599 or 103.64 to 103.82.

SECTION 4. 111.322 (2m) (b) of the statutes is amended to read:

111.322 (2m) (b) The individual testifies or assists in any action or proceeding held under or to enforce any right under s. 103.02, 103.06, 103.10, 103.13, 103.28,



**SENATE BILL 11**

**SECTION 4**

- 4 -

103.34, - plain

~~106.04~~, (strike)  
~~106.04~~

1 103.32, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075 or 146.997 or ss. 101.58 to

2 101.599 or 103.64 to 103.82.

plain

3 (END)

**Rose, Stefanie**

---

**From:** Wagnitz, John  
**Sent:** Tuesday, February 26, 2013 4:48 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -1514/1 Topic: Paid leave of absence for veterans on Veterans Day

Please Jacket LRB -1514/1 for the SENATE.